

REMARKS

In the Response filed September 15, 2006, only claims 1, 23, 24, and 29-31 were amended. MPEP § 706.07(a) states:

[A] second or any subsequent action on the merits in any application . . . will not be made final if it includes a rejection, on newly cited art, . . . of any claim not amended by applicant . . . in spite of the fact that other claims may have been amended to require newly cited art.

As DeMeester is newly cited art and claims 2-22 and 25-28 were not previously amended but are rejected under DeMeester, the finality of this office action is improper and must be removed.

The Examiner rejected claims 1-29 and 31 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,442,356 to Omata in combination with U.S. Patent No. 6,479,999 to DeMeester. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references when combined must teach or suggest all the claim limitations. MPEP § 2143.

Omata discloses four separate power supplies 170a – 170d, each separately and independently coupled to one of four corresponding transfer devices 105a – 105d. As the Examiner are correctly noted, Omata fails to teach or suggest a first power supply coupled to at least two but less than all image transfer devices.

For that teaching, the Examiner cited DeMeester. DeMeester discloses a gradient coil assembly for a magnetic resonance imaging apparatus. Subsets of the conductive coil loops of the gradient coil assembly may be separately excited, in conjunction with one or more shielding coils, to generate substantially linear magnetic field gradients across different imaging volumes. In particular, in one configuration, depicted in Figure 2, a subset of the primary coil 72 and a

main shield coil 74 are driven by a main power supply 70. Removed primary coil turns and a supplemental shield coil 78 are driven by a supplemental power supplies 76. "By varying the current in the supplemental shield coil 78 and in the removed terms of the primary coil, an efficiently shielded, continuously variable DSV [diameter spherical volume] is provided." col. 9, lines 31-34 (emphasis added). Figure 3 depicts another configuration with first and second supplemental shield coils and corresponding first and second supplementary power supplies, yielding the same benefit. col. 9, lines 51-54.

Varying the current in different windings of electromagnetic coil to alter the size of an imaging volume in MRI imaging has absolutely nothing to do with supplying transfer voltage to at least two but less than all image transfer devices in a color laser printer with the same power supply. No one of skill in the printer arts seeking efficient voltage distribution would turn to a medical imaging system that varies current in partial coils to control magnetic gradients. The best that can be said is that at a high enough level of abstraction, block diagrams of power distribution in the systems bear some superficial resemblance in only one aspect – which derives directly from the language of Applicants' claims.

The combination of elements from non-analogous sources, in a manner that reconstructs the applicant's invention only with the benefit of hindsight, is insufficient to present a *prima facie* case of obviousness. There must be some reason, suggestion, or motivation found in the prior art whereby a person of ordinary skill in the field of the invention would make the combination. That knowledge can not come from the applicant's invention itself.

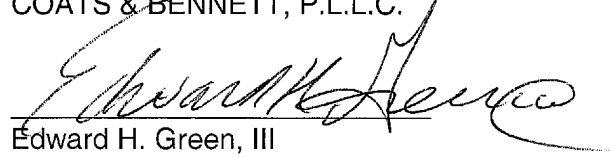
In re Oetiker, 977 F.2d 1443 (Fed. Cir. 1992).

The Examiner has failed to establish a *prima facie* case of obviousness. The cited references relate to non-analogous art, and the Examiner has not articulated a legally sufficient suggestion or motivation for their combination by one of ordinary skill in the art. For at least this reason, the § 103 rejections must be withdrawn.

For the foregoing reason, it is respectfully urged that the present application is in condition for allowance and notice to such effect is respectfully requested.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

A handwritten signature in cursive script, appearing to read "Edward H. Green, III", written over a horizontal line.

Edward H. Green, III
Registration No.: 42,604

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P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844
Facsimile: (919) 854-2084